

Law offices of
JUSTIN LEVINE
408 EAST 92ND STREET
SUITE 7A
NEW YORK, N.Y. 10128
917.804.0873
Fax: (646) 596.7818
e-mail: justlevine@aol.com

Member NY & NJ Bar

December 8, 2019

Hon. Kevin P. Castel
United States District Judge
500 Pearl Street
New York, N.Y. 10007

Re: United States v. Geronimo Aybar
15 CR 00778 (PKC)

Honorable Sir,

I must respectfully request an adjournment of the above-referenced defendant's sentence, presently scheduled for Friday, December 13, 2019, for approximately forty-five (45) days. I have sought and received the consent of the government for this request.

As Your Honor knows, it is necessary that I review the Pre-Sentence Report with my client. Because of personal legal problems I've recently encountered I have been denied access to the MDC and to my client. Although I have been informed by the warden that I am still free to correspond with him by mail, two (2) attempts to mail him a copy of the PSR have not been delivered. AUSA Solowiejczyk is currently on trial before Judge Wood so I haven't been able to speak to him regarding a resolution of this problem. At present my only thought is that we order the defendant to the courthouse so I can interview him in the marshall's cellblock. Regardless, the requested adjournment should provide ample time to resolve this issue.

Also, both USPO Keisha Sigleton and I have requested the defendant's medical records from both MCC and MDC regarding his significant injuries he received during the four (4) months he was incarcerated and suffered inhumane conditions in El Salvador awaiting extradition. A HIPA request was sent by me in October but I've received no response. Ms. Singleton her request has also gone unanswered.

Accordingly, I request that this adjournment be granted..

Respectfully,


_____/s/____

Mr. Levine shall make an in camera submission detailing the “personal legal problems” he has encountered, including any and all charges, proceedings, investigations or inquiries pending or concluded in the last 24 months. Submission shall be submitted to Chambers by December 17, 2019. There will be a Curcio hearing on December 20, 2019 at 2:30 p.m. Joshua L. Dratel of the Court’s CJA Panel shall appear at the hearing. The government shall also appear and shall arrange for production of the defendant at the hearing.

Sentencing is adjourned from December 13, 2019 to February 6, 2020 at 2:30 p.m.

SO ORDERED.

Dated: 12/11/2019


P. Kevin Castel
United States District Judge

cc: Joshua Dratel by email: jdratel@joshuadratel.com